

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 10-13 are in the present application. It is submitted that these claims, are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Claim 14 is canceled.

Claims 10-14 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent 6,840,630 (the parent application). As noted by the Examiner, a timely filed Terminal Disclaimer may be used to overcome this rejection provided the conflicting patent is shown to be commonly owned with this application. Both the conflicting patent and the present application have been assigned to Sony Corporation. Accordingly, Applicant submits herewith a Terminal Disclaimer to overcome this rejection.

Claim 14 was rejected under 35 U.S.C. § 102(b) as being anticipated by Chen (U.S. Patent 6,072,831). Claim 14 is canceled, therefore this rejection is moot.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

A statutory disclaimer fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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